

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:21-CV-00458-KDB-DSC**

TREX PROPERTIES, LLC,

Plaintiffs,

v.

**5 STAR AUTO COLLISION, INC.
ET AL,**

Defendants.

AMENDMENT TO CASE MANAGEMENT ORDER

On May 23, 2022, the Court entered a Case Management Order in this action. Doc. No. 1562. On the Court's own motion, that Order is hereby amended to provide sufficient time for those defendants who did not answer the initial Complaint to file answers to the recently filed Amended Complaint prior to the Plaintiff seeking entry of default (*See* Federal Rules of Civil Procedure 15(a)(3)) as follows:

II. MOTIONS

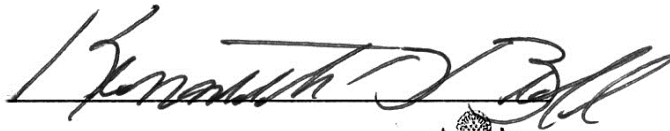
- A. MOTION FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT: As described above, a large number of Defendants in this action were served but did not answer the Complaint. Therefore, Plaintiff intends to move for entry of default if those Defendants do not answer the Amended Complaint and, if default is entered, seek partial default judgment as to their liability. To avoid the burden on the Plaintiff and the Court from separate motions against each Defendant alleged to be in default, Plaintiff is ordered to file a single motion for entry of default with respect to all the Defendants against which

it seeks a default (with a list of those Defendants named in an exhibit to the motion) on or after **June 17, 2022** or the date on which the allegedly defaulting defendants' answers to the Amended Complaint are due under Fed. R. Civ. Proc. 15(a)(3). If that motion is granted, Plaintiff shall file a single motion for partial default judgment on liability with respect to the Defendants against whom default has been entered on or after **June 24, 2022 or one week after the date default is entered**. Plaintiff is required to timely serve its motion for partial default judgment together with the Court's order entering default by mail and email (to the extent that Plaintiff has email addresses for any defaulted Defendant) on the defaulted Defendants.

Except as amended by this Order, the terms of the Court's Case Management Order remain in full effect.

SO ORDERED.

Signed: May 25, 2022

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

